

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

JANE DOE, et al.

Civil Action No.: 1:20 - CV - 0840 (BKS/CFH)

**Plaintiffs,**

VS.

HOWARD ZUCKER, et al.

### Defendants.

DECLARATION OF A.M. IN SUPPORT OF  
PLAINTIFFS' MOTION FOR A PRELIMINARY  
INJUNCTION

A M pursuant to 28 U.S.C. § 1746 declares under penalty of perjury as follows:

1. I am the mother of a medically fragile boy who attend school in New York State.
2. I write this declaration in support of the Plaintiffs' motion for a preliminary injunction and as a potential class member in this suit.
3. My son has serious health issues and is immune compromised. In addition to other health challenges, he has primary immune deficiency, cerebral palsy, elevated platelet counts, speech motor apraxia, and an unstable progressive neurological disorder that has yet to be understood fully.
4. Last fall, my son's pediatrician wrote a medical exemption which was accepted. This year, however, he has refused to sign it for the coming school year 2020-2021 despite these ongoing conditions, and prior reactions to vaccination and medications. Upon

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information and belief, he is acting out of fear of retaliation. There has been no  
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change in my son's health to justify such a reversal.  
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5. The nurse from his special education school has contacted my pediatrician about  
6 renewing the exemption and has not received correspondence in reply.  
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6. I attempted to change pediatricians and he is now holding my son's medical records  
8 for hostage at seventy-five cents per page even if they put them on a disc.  
9  
7. My son was already accepted at another pediatrician and I believe the pediatrician  
10 will write him an exemption (my son's conditions fit squarely within the criteria). But  
11 the new pediatrician will not see him without records.  
12  
8. I believe that these new regulations are stopping vulnerable children from getting the  
13 medical exemptions that they deserve and need – the immunization mandates were  
14 supposed to be here to protect our most vulnerable kids. Now they are hurting them.  
15  
9. Wherefore, I respectfully ask this Court to grant the relief and let our children remain  
16 in school pending the outcome of this case and to stay the regulations that allow school  
17 districts to overrule treating physicians or the state to take clinical judgment away  
18 from treating doctors.  
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RESPECTFULLY SUBMITTED this \_\_\_\_ day of August 2020



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A.M.

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